

R E M A R K S

Claims 1 to 9, 11 to 24 and 29 to 45 are in the case.

This amendment is being filed contemporaneously with a RCE and will address the rejections set forth in the Advisory Action of March 10, 2009 and the Office Action of November 14, 2008.

Claim 1 has been amended to further clarify the structure concerning the neck and the piston.

In the Advisory Action, the Examiner has stated that “a neck portion may be any portion cylindrical, longitudinally-extending wall of the vessel..”. This is respectfully traversed since it is well known in the art that the neck portion is at one end of the body and does not consist of the entire body. Any dictionary definition will substantiate the above.

As aforementioned, Claim 1 now states that the neck portion is of a reduced diameter. This is not present in Genese.

Claim 1 further calls for the housing to be removably connected to the piston through the open end of the vessel. This open end is located opposite to the neck portion and again, clearly this is not present in Genese.

With respect to the cannula being longitudinally slidable within the bore, this will be addressed hereinbelow.

In the Advisory Action, the Examiner has commented that he considers the piston to be that which is between spaces 90 and 104 and is displaceable. This piston of Haber could not begin to respond to the limitations of the claim which call for the slidable piston to be positioned within the body of the vessel through the open end. There is no piston within the body of the vessel of Haber et al.

Applicant would again reiterate the comments set forth in Applicant's amendment dated January 14, 2009. Claim 1 calls for the conduit to be longitudinally slidable within a bore extending between the first and second open ends of the housing. The equivalent structure of Genese would clearly be hub 25 and the cannula is not slidable therein.

As also pointed out in Applicant's previous response, the vial which is container 42 does not have a neck portion which is engaged by the vial socket adapter.

With respect to Haber, Applicant has addressed above the fact that there is not a slidable piston within the vessel and which slidable piston is removably connected to the housing.

For the above reasons, it is respectfully submitted that Claim 1 as submitted herewith clearly and patentably defines over the prior art. For similar reasons, it is advanced that Claim 29 is likewise clearly allowable over the references.

It is now believed that the application is in order for allowance and such action is respectfully solicited.

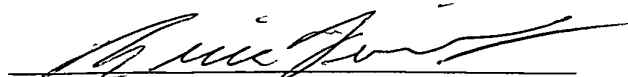
Respectfully,



Eric Fincham

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I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Mail Stop - Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on *April 24, 2009*



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